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Draft resolution submitted by the Chair of the Committee following informal consultations

Capital master plan

The General Assembly,

Recalling its resolutions 54/249 of 23 December 1999, 55/238 of 23 December 2000, 56/234 and 56/236 of 24 December 2001 and 56/286 of 27 June 2002, section II of its resolution 57/292 of 20 December 2002, its resolution 59/295 of 22 June 2005, section II of its resolution 60/248 of 23 December 2005, its resolutions 60/256 of 8 May 2006, 60/282 of 30 June 2006, 61/251 of 22 December 2006 and 62/87 of 10 December 2007, section II.B of its resolution 63/248 of 24 December 2008, its resolutions 63/270 of 7 April 2009 and 64/228 of 22 December 2009 and its decisions 58/566 of 8 April 2004 and 65/543 of 23 December 2010,

Recognizing the importance of ensuring that persons with disabilities have access to the physical environment on an equal basis with others,

Having considered the eighth annual progress report of the Secretary-General on the implementation of the capital master plan,[1] the report of the Secretary-General on proposals for financing the associated costs required for the year 2011 from within the approved budget for the capital master plan,[2] the report of the Board of Auditors on the capital master plan for the year ended 31 December 2009,[3] the report of the Secretary-General on the implementation of the recommendations of the Board of Auditors contained in its report on the capital master plan for the year ended 31 December 2009,[4] the relevant sections of the annual report of the Office of Internal Oversight Services for the period from 1 July 2009 to 30 June 2010[5] and the related report of the Advisory Committee on Administrative and Budgetary Questions,[6]

[1] A/65/511.
[2] A/65/511/Add.1.
[3] *Official Records of the General Assembly, Sixty-fifth Session, Supplement No. 5* (A/65/5 (Vol. V)).
[4] A/65/296, sect. III.
[5] A/65/271 (Part I) and Corr.1, sect. IV.A, and Add.1 and Corr.1, sect. V.B.
[6] A/65/725.

Please recycle

1. *Takes note* of the eighth annual progress report of the Secretary-General on the implementation of the capital master plan,[1] the report of the Secretary-General on proposals for financing the associated costs required for the year 2011 from within the approved budget for the capital master plan,[2] the report of the Board of Auditors on the capital master plan for the year ended 31 December 2009,[3] the report of the Secretary-General on the implementation of the recommendations of the Board of Auditors contained in its report, in particular on the capital master plan for the year ended 31 December 2009,[4] and the relevant sections of the annual report of the Office of Internal Oversight Services for the period from 1 July 2009 to 30 June 2010;[5]

2. *Reaffirms* the oversight role of the Fifth Committee in administrative and budgetary matters;

3. *Stresses* the importance of effective oversight, transparency and accountability in the management of the project;

4. *Also stresses* the special role of the host country Government with regard to support for United Nations Headquarters, in New York;

5. *Notes* the benefits, including economic ones, accruing to host countries from the presence of the United Nations, and the costs incurred;

6. *Recalls* the current practices of Governments of host countries with regard to support for United Nations Headquarters and United Nations bodies located in their territories;

7. *Reaffirms* paragraphs 31 through 34 of its resolution 61/251;

8. *Recalls* paragraph 10 of its resolution 61/251 and paragraph 37 of its resolution 62/87, and reaffirms that any scope options in addition to those already approved by the General Assembly shall be submitted by the Secretary-General to the Assembly for its consideration and approval;

9. *Endorses* the conclusions and recommendations contained in the report of the Advisory Committee on Administrative and Budgetary Questions,[6] subject to the provisions of the present resolution;

10. *Accepts* the report of the Board of Auditors on the capital master plan for the year ended 31 December 2009;

11. *Approves* the recommendations of the Board of Auditors contained in its report;

12. *Notes with concern* the findings of the Board of Auditors as contained in its report, and emphasizes the importance of the full implementation of the recommendations of the Board;

I
Eighth annual progress report

13. *Reiterates its request* that the Secretary-General make every effort to avoid budget increases through sound project management practices and to ensure by all means that the capital master plan is completed within the budget as approved in its resolution 61/251, and to report thereon in the context of his ninth annual progress report;

Schedule

14. *Recalls* paragraph 7 of the report of the Advisory Committee on Administrative and Budgetary Questions, and reiterates its request that the Secretary-General make every effort to finish the project in accordance with the schedule approved in its resolution 62/87;

15. *Requests* the Secretary-General to ensure full accountability for delays, and all factors contributing to delays, in the implementation of the capital master plan and the budget overrun, and to include this information in his ninth annual progress report;

16. *Reiterates its request* to the Secretary-General to continue to update the Member States through regular informal briefings, besides submitting annual progress reports, on all aspects of the implementation of the capital master plan, including the current status, significant activities carried out since the previous report and risk analysis information outlining any risks identified, action to be taken, status and trends, and to update the relevant information on its website on a regular basis;

17. *Requests* the Secretary-General to include, in his ninth annual progress report, information on lessons learned in the implementation of the capital master plan and how they are being utilized to improve the current and future planning and implementation of the capital master plan;

18. *Also requests* the Secretary-General to ensure that the process of the relocation of Secretariat staff from office swing space be carried out in the most effective and timely manner, taking full advantage of the lessons learned during the capital master plan project, and in this regard further requests him to prepare well in advance detailed office plans of the Secretariat Building; in order to avoid delays and any potential additional costs;

19. *Reaffirms* its support for the timely deconstruction and removal of the temporary North Lawn building upon the completion of the Headquarters renovation work;

Value engineering

20. *Encourages* the Secretary-General to continue finding efficiency gains and cost reductions throughout the implementation of the capital master plan;

21. *Emphasizes* that the value engineering exercise shall not undermine the quality, durability and sustainability of the materials used, the original design of Headquarters or the commitment of the project to the highest standards for the safety, health and well-being of staff and delegations, in particular with regard to the handling of asbestos;

22. *Regrets* that the Secretary-General did not provide detailed information on the value engineering exercise as requested in paragraph 6 of section I of its resolution 64/228;

23. *Notes* that the Board of Auditors was unable to provide any assurance as to the actual efficiency of value engineering in terms of cost reduction, and that such measures are instrumental in bringing costs back on budget, and in this regard

requests the Secretary-General to reassess the merits of value engineering, and to include detailed information thereon in his next annual progress report;

Procurement and sustainability

24. *Reaffirms* paragraphs 36 to 38 of its resolution 61/251, on the importance of transparency in the procurement process, and requests the Secretary-General to ensure that the construction manager takes them fully into account when subcontracting and to report, in the context of his ninth annual progress report, on the specific steps taken and progress achieved in the context of increasing procurement opportunities for vendors from developing countries and countries with economies in transition in the implementation of the capital master plan;

25. *Reaffirms once again* paragraph 38 of its resolution 61/251, and requests the Secretary-General to ensure that procurement activities conducted by the construction manager in the implementation of the capital master plan are in compliance with United Nations rules, regulations and procedures and General Assembly resolutions governing United Nations procurement activities, as well as ethics policies, including post-employment restrictions,[7] and that the relevant provisions are taken fully into account by the construction manager when subcontracting;

26. *Reaffirms* paragraph 13 of its resolution 63/270;

27. *Reiterates its request* to the Secretary-General in its resolutions 61/276 of 29 June 2007 and 62/269 of 20 June 2008, and requests the Secretary-General to continue to explore additional innovative ways to promote procurement from developing countries and countries with economies in transition and to identify obstacles preventing their participation in United Nations procurement contracts and to report on concrete measures taken in this regard;

28. *Notes* that the action plan prepared by the construction manager to promote procurement opportunities for contractors and vendors from developing countries and countries with economies in transition has not led to a significant increase in the value of contracts awarded to contractors and vendors from developing countries and countries with economies in transition;

29. *Requests* the Secretary-General to continue to review all expression of interest notices and invitations to bid issued by the construction manager in order to ensure that their contents fully comply with the relevant resolutions of the General Assembly and do not unduly restrict the diversification of the origin of vendors;

30. *Notes* that some measures taken to avoid delays in the capital master plan procurement process, in particular the ex post facto review of contracts, carry the risk of a negative impact in terms of internal controls, and requests the Secretary-General to ensure that the procurement processes are in full compliance with the Financial Regulations and Rules of the United Nations;[8]

31. *Recalls* that, in accordance with article 5 of the United Nations general conditions of contract, the terms of any subcontract shall be subject to and conform to the provisions of the general conditions of contract;

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[7] See ST/SGB/2006/15.

[8] ST/SGB/2003/7 and Amend.1.

32. *Requests* the Secretary-General to continue to exercise his authority to undertake, in respect of the subcontractors directly involved in the provision of goods and services to the Organization on behalf of the capital master plan construction manager, a thorough review of their qualifications and the identities of the principals involved, and also requests the Secretary-General to provide prior written approval and clearance for the use of such subcontractors, as required in article 5 of the general conditions of contract, so as to ensure the integrity, fairness and transparency of the procurement process;

33. *Also requests* the Secretary-General to continue to post and regularly update the list of subcontractors approved by the United Nations on the capital master plan website and to include information on the implementation of article 5 of the general conditions of contract, including the procedure for review and approval of subcontractors by the United Nations, in future progress reports on the implementation of the capital master plan;

Security

34. *Authorizes* the implementation of the security enhancement, as reflected in paragraph 6 of the report of the Advisory Committee on Administrative and Budgetary Questions, estimated to amount to 100 million dollars;

35. *Recognizes* the efforts of the host country to improve the safety and security of United Nations Headquarters, as well as its financial contribution to the security enhancements;

36. *Notes* that the funding provided by the host country will cover all costs related to the security enhancements, including design, construction, delay, swing space rent where applicable, contingencies and any other costs;

37. *Decides* that all costs related to the security enhancement, including any associated costs resulting from the delay in the capital master plan as a result of the implementation of the security enhancement, will not result in additional assessments on Member States, without prejudice to the costs related to the regular maintenance of such enhancements, which shall be part of the regular budget after the completion of the capital master plan;

38. *Reaffirms* that the General Assembly has the sole prerogative of deciding on any changes to the capital master plan project, budget and implementation strategy, as approved in its resolutions, notes that the Secretary-General did not seek the approval of the General Assembly for the security enhancements, and expresses concern that the completion of the project as approved in its resolution 62/87 will be delayed as a result of the security enhancements;

39. *Stresses* the importance of the timely sharing by the Secretary-General with the General Assembly of information regarding the capital master plan;

40. *Expresses concern* that the Secretary-General did not provide to the General Assembly detailed information regarding security enhancements;

41. *Requests* the Secretary-General to provide, in the context of his next annual progress report, comprehensive information on the implementation of the security enhancement;

Donations and artwork

42. *Recalls* paragraph 8 of the report of the Advisory Committee on Administrative and Budgetary Questions, and in this regard reaffirms the relevant provisions of its resolutions, in particular resolution 63/270, relating to donations for the capital master plan, and reiterates that the donation policy should not be restrictive and that it should be in full conformity with the international and intergovernmental character of the Organization as well as with the Financial Regulations and Rules of the United Nations and without prejudice to the scope, specifications and design of the project;

43. *Requests* the Secretary-General to ensure that works of art, masterpieces and other gifts are handled appropriately during all the stages of the capital master plan, and also requests him to cooperate with those Member States that wish to take care of their gifts of works of art, masterpieces and other items during the renovation period;

Parking

44. *Recalls* paragraphs 30 to 33 of section I of its resolution 63/270, expresses concern about the issue of the availability of parking spaces to the Member States in the garage of the United Nations complex, and the limitations imposed on Member States in this regard, including those related to night-time parking, reiterates its request that the total number of parking spaces available to the Member States before the implementation of the capital master plan be retained upon its completion and that every effort be made to maintain that number during the implementation of the capital master plan, and looks forward, in this context, to information on the review of the options in the forthcoming annual progress report;

Health and safety

45. *Reaffirms* its commitment to the safety, security, health and well-being of staff, delegations, visitors and tourists at the United Nations, and requests the Secretary-General to ensure that concrete safeguards for the achievement of those objectives are in place and are part of the standard operating procedures throughout the implementation of the capital master plan;

46. *Requests* the Secretary-General to continue to make provisions for appropriate health and wellness facilities and improved physical accessibility for persons with disabilities;

Accessibility

47. *Also requests* the Secretary-General to continue providing specific information, in the context of his next annual progress report, about the measures taken to eliminate physical, communication or technical barriers to persons with disabilities at United Nations Headquarters within the framework of the capital master plan, in particular regarding improvement in terms of the accessibility of interpretation booths;

48. *Further requests* the Secretary-General to ensure that measures to be taken in the context of the capital master plan, including the security enhancement, in applying building, fire and safety codes of the host city do not violate the

provisions of the Convention on the Rights of Persons with Disabilities,[9] especially those relating to accessibility, and also reiterates its request to the Secretary-General to report on this subject in future annual progress reports;

Oversight

49. *Reaffirms* the importance of oversight with respect to the implementation of the capital master plan, and requests the Board of Auditors and all other relevant oversight bodies to continue to report to the General Assembly annually on the capital master plan;

50. *Requests* the Secretary-General to continue to develop and implement a comprehensive internal control framework for the capital master plan to mitigate and effectively address all possible risks, to ensure full compliance and responsiveness on the part of management to the specific requirements of the project, to avoid any delays in the implementation of any aspect of the project and to ensure full compliance with United Nations rules and procedures and General Assembly resolutions governing procurement;

Advisory Board

51. *Notes with appreciation* the establishment of the Advisory Board of the United Nations Capital Master Plan, and encourages it to continue its work;

52. *Requests* the Secretary-General to provide, in his annual progress report on the capital master plan, information about the activities of the Advisory Board, including any observations, recommendations or any other aspects or developments of the project deemed important by the Board, as well as any additional comments that the Secretary-General may wish to provide;

Ninth annual progress report

53. *Requests* the Secretary-General to continue to report on the status of the project, the schedule, the projected completion cost, the status of contributions, the working capital reserve and the letter of credit in his ninth annual progress report, as well as to include therein the information requested in the present resolution;

II
Associated costs

54. *Reiterates* its decision that the approved associated costs will be financed from within the approved budget for the capital master plan;

55. *Notes* the anticipated cash flow problem over the long term;

56. *Takes note* of paragraph 15 of the report of the Advisory Committee on Administrative and Budgetary Questions, and in this regard requests the Secretary-General to exhaust all possible options for absorbing the associated costs from within the overall budget approved for the capital master plan, including through cost efficiency measures, in order to avoid any additional financial burden on Member States, and to report thereon to the General Assembly, in the context of his ninth annual progress report, at the main part of its sixty-sixth session;

[9] Resolution 61/106, annex I.

57. *Requests* the Secretary-General to make every effort to ensure that furniture in good condition is reused and to report thereon to the General Assembly in the context of his ninth annual progress report on the capital master plan;

58. *Takes note* of paragraph 20 of the report of the Advisory Committee on Administrative and Budgetary Questions, decides to approve eleven general temporary assistance positions, and requests the Secretary-General to report thereon in the context of his ninth annual progress report;

59. *Also takes note* of paragraph 29 of the report of the Advisory Committee on Administrative and Budgetary Questions, and requests the Secretary-General to make every effort to absorb the associated costs for 2011 from within the overall budget approved for the capital master plan in a total amount of 58,871,305 dollars (net), broken down as follows:

(a) 628,600 dollars for the Department for General Assembly and Conference Management;

(b) 190,080 dollars for the Department of Public Information;

(c) 51,350,750 dollars for the Office of Central Support Services;

(d) 199,400 dollars for the Office of Information and Communications Technology;

(e) 534,555 dollars for construction, alteration, improvement and major maintenance activities at Headquarters;

(f) 5,967,920 dollars for the Department of Safety and Security;

60. *Authorizes* the Secretary-General to enter into commitment authority in an amount of up to 286,300 dollars, and requests him to report on expenditures in the context of his next report on proposals for financing the associated costs.